



K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

PERMIT APPLICATION FOR A CONSTRUCTION & DEMOLITION LANDFILL

1. Applicant's Name _____
Address _____
(Street or Rural Route) (City & State) (Zip)
Person to contact _____ Title _____
Telephone (_____) _____ Fax (_____) _____
E-mail address _____
2. State Agency _____ Private Individual or Firm _____ County _____ City _____ Township _____
If other - explain _____

3. Site Address _____
(Street Number, Road, Highway) (City)
4. Site Location _____
_____ County, _____ 1/4 of the, _____ 1/4 of the, _____ 1/4 of,
Section _____, Township _____, Range _____
5. Site Area (acres) _____ Area to be used for disposal (acres) _____
6. Restrictions. This application restricts the fill materials by the following description:

Construction and demolition waste:

"means solid waste resulting from the construction, remodeling, repair and demolition of structures, roads, sidewalks and utilities; untreated wood and untreated sawdust from any source; treated wood from construction or demolition projects; small amounts of municipal solid waste generated by the consumption of food and drinks at construction or demolition sites, including, but not limited to, cups, bags and bottles; furniture and appliances from which ozone depleting chlorofluorocarbons have been removed in accordance with the provisions of the federal clean air act; solid waste consisting of motor vehicle window glass; and solid waste consisting of vegetation from land clearing and grubbing, utility maintenance and seasonal or storm-related cleanup. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, roofing materials, soil, rock, wood, wood products, wall or floor coverings, plaster, drywall, plumbing fixtures, electrical wiring, electrical components containing no hazardous materials, nonasbestos insulation and construction related packaging¹. "Construction and demolition waste" shall not include waste material containing friable asbestos, garbage, furniture, appliances from which ozone depleting chlorofluorocarbons have not been removed in accordance with the provisions of the federal clean air act, electrical equipment containing hazardous materials, tires, drums and containers even though such wastes resulted from construction and demolition activities. Clean rubble that is mixed with other construction and demolition waste during demolition or transportation shall be considered to be construction and demolition waste." K.S.A. 65-3402(u)

¹"Construction related packaging" means small quantities of packaging wastes that are generated in the construction, remodeling or repair of structures and related appurtenances. "Construction related packaging" does not include packaging wastes that are generated at retail establishments selling construction materials, chemical containers generated from any source or packaging wastes generated during maintenance of existing structures. K.S.A. 65-3402(dd)

DIVISION OF ENVIRONMENT
Bureau of Waste Management

CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE. 320, TOPEKA, KS 66612-1366
Voice 785-296-1600 Fax 785-296-8909 [Http://www.kdhe.state.ks.us/waste](http://www.kdhe.state.ks.us/waste)

7. Attach a copy of the "Site Plan". _____

The following **items** must be included as part of a site plan:

- a. A **site location map** showing section, township, range, and site boundaries. A description of adjacent properties including land use, names and addresses of property owners. If the proposed site is adjacent to a public street or road, include property across the street or road.
- b. A **site layout drawing**, showing the size and location of all pertinent man-made and natural features of the site including roads, fire lanes, ditches, berms, culverts, structures, wetlands, flood ways, surface waters and projected site utilization including all site structures (such as buildings, fences, gates, entrances and exits, parking areas, on-site roadways, contact water and storm water management systems and signs) and the location of all water supplies.
- c. A **topographic map** with contour intervals no greater than 2 feet and cross-sections of the proposed cells with water table shown.
- d. A **FEMA floodplain map** with the site location drawn on it (or other evidence of the 100-year floodplain limits if a FEMA map is not available).

8. Is the site an existing disposal site? _____ or Is the site a proposed new disposal site? _____

9. Is this facility consistent with an officially adopted county or county and regional solid waste management plan?

Yes _____ No _____ If yes, identify that plan _____

10. Location Demonstrations. In order to determine regulatory compliance and human health, environmental, and cultural issues, notify the following agencies of the proposed facility and request their written responses. Usually, notification is accomplished by a brief letter describing the proposed facility and site location, and including a location map. Some of these notifications and responses may not be required for sites which have been actively used for industrial purposes (such as a quarry). Please attach a copy of the notification and copies of responses from the following agencies (or explain why not provided):

Kansas Biological Survey _____

Kansas Corporation Commission _____

Kansas Department of Agriculture - Division of Water Resources _____

Kansas Department of Wildlife and Parks _____

Kansas Geological Survey _____

Kansas State Conservation Commission _____

Kansas State Historical Society _____

Kansas Water Office _____

U.S. Army Corps of Engineers _____

Other (describe) _____

Input from other agencies may be required during the review process or in order to respond to public comments.

11. Attach documentation of the groundwater elevation demonstration. _____
Include evidence to demonstrate a minimum vertical separation of 5 feet from the lowest point of the disposal area to the highest predicted groundwater elevation in the uppermost aquifer underlying the disposal area. Refer to Bureau of Waste Management Policy 02-02 for more information. Soil borings, nearby wells, or other approved methods may be used to determine the groundwater elevation.

12. Attach copies of permits/approvals from other government agencies or other KDHE Bureaus (list type and agency/Bureau below). This should include a copy of the Notice of Intent required by the KDHE Bureau of Water for Construction Activities (if disturbing 1 acre or more) with authorization to discharge from construction activities and a separate Notice of Intent for Industrial Activities. These notice forms and instructions are available on the Bureau of Water web site at www.kdhe.state.ks.us/stormwater/index.html.

13. Attach an **engineering report**. _____
Include written summaries, design calculations, modeling, and supporting information as appropriate. At minimum, the engineering report should address the design of contact water and storm water management systems. Stability analyses may be required for sites subject to differential settlement or other stability concerns. If onsite soils will be used for final cover then supporting earthwork calculations, delineation of borrow areas, and soil characterization data will be required.

14. Attach **cost estimates** for:

_____ Site preparation (clearing, grading, base preparation, contact water and storm water management systems, access control, signs, onsite roads, utilities, scales, office, etc.).

_____ Operations (annualized costs for equipment [capital expenses plus maintenance and replacement costs], labor, administrative expenses, overhead, etc.).

15. Site owned by applicant _____ or Site leased by applicant _____

Attach a copy of the draft "**Restrictive Covenant**". _____ (The legal description and Section 1 on page 1 and the acknowledgment on page 3 must be completed at time of application.)

A permit will not be issued until the draft "**Restrictive Covenant**" has been filed with the County Register of Deeds, as required by K.A.R. 28-29-20, and a filed copy submitted.

If the site is leased, please fill in the following information:

Owner of Record _____

Address _____ City _____ State _____ Zip _____

Negotiated lease date: _____

Number of years remaining on lease _____ Include copy of lease _____

16. Soil Classification of cover material on site from soil conservation district or county agent (Do not complete if soil survey or drill logs are attached).

_____ % Sand _____ % Silt _____ % Clay

17. If sufficient cover material is not available at the site, where will it be obtained?

18. Are there any wells within a one mile radius? Yes _____ No _____

If "Yes" provide types and legal descriptions _____

19. Access roads serving site

a. City _____	d. State _____
b. Township _____	e. Interstate _____
c. County _____	f. Other (explain) _____

20. Types of road surface serving the site (indicate whether on or off site)

a. Concrete _____	e. Gravel _____
b. Asphalt _____	f. Crushed Stone _____
c. Seal Coat _____	g. Dirt _____
d. Soil Cement _____	h. Other _____

21. Attach a copy of the "**Operational Plan**". _____

Note: The Bureau of Waste Management has published Technical Guidance Documents (TGD) and a Policy related to construction & demolition landfill operations. These are available on the web site at www.kdhe.state.ks.us/waste, and include the following: "Storage of Unapproved Waste Screened from Construction and Demolition Landfills", Policy 02-01; "Construction and Demolition Wastes and Clean Rubble", TGD SW 94-02; "Waste Screening and General Operations at Construction & Demolition Landfills", TGD SW 02-01. Please review these documents and incorporate appropriate provisions in the operations plan for the proposed facility.

The operational plan must include:

- a. a description of the general operating plan for the proposed facility including the waste's origin and composition, procedures for screening of waste, expected daily volume of all solid waste to be accepted at the facility, the proposed capacity of the facility, the proposed operating hours of the facility, and the expected life of the facility;
- b. a description of all machinery and equipment to be used;
- c. a description of the facility's drainage system and water supply system;
- d. a contingency plan for emergencies, potential problems and unexpected suspension of operations;
- e. a safety plan;
- f. procedures for dust suppression and fugitive emission control at the disposal area and on haul roads;
- g. when and under what circumstances the site would be closed and a description of procedures to close the site, including a schedule for completion; and
- h. a description of post-closure activities.

22. Type of Operation

- a. Trench _____
- b. Cut and Cover _____
- c. Area _____
- d. Other or combination _____

23. Service Areas

- a. Disposal site to serve:
City_____ Township_____ County_____ Business_____ Other_____
- b. Will the site be open to the general public? Yes_____ No_____
- c. Population data:
 1. Population served by facility: Now_____ Next 10 years_____
 2. Total area population: Now_____ Next 10 years_____

24. Utilities (explain if onsite or nearby)

- a. Water Source (example: water main, bottled water, well)_____
- b. Electricity_____
- c. Telephone_____
- d. Sewer System (example: sanitary, lagoon, septic, privies)_____

25. Hours of Operation (An employee must be present at this site during these hours of operation)

DAY	MON	TUE	WED	THU	FRI	SAT	SUN
HOURS							

26. Attach a copy of the "**Certificate of Insurance**" for proof of liability insurance in accordance with K.A.R. 28-29-2201. The coverage shall include coverage of the premises and operations, including operations of independent contractors. _____

27. Employees and Equipment

- a. Number of employees on site _____
- b. Equipment on site _____
- _____

28. Fire Protection Available

- a. Water _____
- b. Firebreak _____
- c. Municipal fire protection (specify) _____

29. Tipping fees, other fees

List the anticipated tipping fees and other fees (e.g., surcharge for unacceptable waste). These fees are subject to change without notice, at the landfill owner's discretion.

30. Estimated Number of Loads Daily (estimate quantities in tons or cubic yards)

- a. Number of loads daily _____
- b. Quantity Tons _____ or Cubic Yards _____

31. Estimated Capacity of Site

- a. Cubic yards _____
- b. Years _____

32. Attach a copy of the **closure design drawings**. _____

The **closure design drawings** should include the following:

final contours, type and depth of cover materials, seeding specifications, erosion control devices, landscaping, access control, final surface water drainage patterns and runoff retention basins.

Note: The final cover must be graded with a minimum slope of two percent and a maximum slope of 3:1. Final cover must consist of a minimum of 30 inches of soil material (18 inches of compacted material overlaid by 12 inches of soil capable of supporting vegetation).

33. Attach a **construction quality assurance (CQA) plan**. _____
The written plan should describe parties' responsibilities, inspections, testing, records, and reporting. For more information, refer to Bureau of Waste Management Policy 00-04, and Quality Assurance and Quality Control for Waste Containment Facilities, Technical Guidance Document EPA/600/R-93/182 by the U.S. Environmental Protection Agency, September 1993. For C&D landfill, the CQA requirement would normally involve survey verification of the base elevations, excavated slopes, final cover thickness and permanent storm water/contact water structures, as well as testing associated with the low permeability layer in the final cover and certification on conformance with the approved plans. The CQA plan should describe the responsible parties, types of tests/observations, frequency of tests/observations, methodology for addressing problems, and final CQA report and certification to be prepared.

34. Attach a copy of the **closure cost estimate**, the **post-closure cost estimate** (if applicable), and the **financial assurance documentation** as required by K.A.R. 28-29-2101 through 28-29-2113.

The **closure cost estimate** should be submitted on the KDHE form provided and must be based on third party costs to close the largest part of the landfill to ever be open at one time. _____

A **post-closure cost estimate** must be submitted if the landfill has any waste containment systems and appurtenances with planned maintenance schedules, environmental monitoring systems with planned maintenance schedules and periodic sampling and analysis requirements, or requirements to maintain insurance coverage during the 30-year long-term care period. _____

The amount of **financial assurance** must be no less than the amount of the closure cost estimate and a minimum of \$5,000. Provide a demonstration of financial assurance. _____

35. Attach the completed "**PUBLIC ENTITY DISCLOSURE STATEMENT**" or "**BUSINESS CONCERN DISCLOSURE STATEMENT FORM 2**" as provided by KDHE. _____

36. Comments: _____

37. Application fee based on the following schedule:
For each facility receiving:
a. less than 1,000 tons annually: **\$250.00**
b. more than 1,000 and less than 10,000 tons annually: **\$500.00**
c. more than 10,000 tons annually: **\$1,000.00**

Please return application, supporting documents and make check payable to:
Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson, Suite 320
Topeka, KS 66612-1366

\$1.00/ton tonnage fee

Once a facility receives a permit and begins accepting waste for disposal, a \$1.00/ton tonnage fee must be paid to the Kansas Department of Health and Environment. A tonnage fee shall be applied to all solid waste disposed of at any construction/demolition solid waste landfill except for the following types of waste: (1) construction/demolition waste which is disposed of by the State of Kansas or any city or county in the State of Kansas or any person on behalf thereof, and (2) clean rubble which is brought separately to a construction/demolition landfill.

Note: An active facility shall be required to pay an annual renewal fee based on the following:

- a. less than 1,000 tons of C/D waste annually: **\$125.00**
- b. more than 1,000 and less than 10,000 tons of C/D waste annually: **\$250.00**
- c. more than 10,000 tons of C/D waste annually: **\$500.00**

A city, county, or other political subdivision or state agency is exempt from the application and renewal fees.

General Notes

- Application forms, related forms, and policies/technical guidance documents are available on the Bureau of Waste management web site at www.kdhe.state.ks.us/waste.
- The Kansas solid waste statutes and regulations are also available on the web site. Applicants should pay special attention to K.S.A. 65-3402(u), (v) and (dd); K.S.A. 65-3407(l); and K.A.R. 28-29-2 through 23, 84 and 2102 through 2113. Other statutes and regulations may also be important to consider.
- After reviewing an application and accompanying documentation, KDHE will publish a public notice with a minimum 30-day public comment period. If significant comments are received, or if significant public interest is anticipated or if this is a new site for waste disposal, KDHE may hold a public hearing. Public hearings involve a minimum 30-day public notice and follow-up responses. Therefore, the public process may involve several months. Please take this into account when submitting an application.
- The Kansas solid waste regulations outline many of the general design requirements. However, some requirements are not specifically addressed or detailed. In order to facilitate the regulatory review and approval process, it is recommended that key design parameters such as proposed slopes, buffer distances, storm water controls, etc., should be discussed conceptually with Bureau of Waste Management staff prior to submission of the final design documents.

Submit three copies each of the completed application and required attachments.

Revised January 2004

Applicant's Certification:

I hereby certify that the information in this application and in the supporting documents is true and correct to the best of my knowledge.

Signature of Applicant

Name (Print or Type)

Date

Title

Organization

CONSTRUCTION/DEMOLITION LANDFILL CERTIFICATION

Applicant's Name _____

As specified in K.S.A. 65-3407 Permits to construct, alter or operate solid waste processing facilities and solid waste disposal areas, the secretary shall require the following information as part of this application:

Solid Waste Management Plan Consistency

- (1) Certification by the board of county commissioners or the mayor of a designated city responsible for the development and adoption of the solid waste management plan for the location where the processing facility or disposal area is or will be located that the processing facility or disposal area is consistent with the plan. This certification shall not apply to a solid waste disposal area for disposal of only solid waste produced on site from manufacturing and industrial processes or from on-site construction or demolition activities.

☐ **The Facility Or Disposal Area Is Consistent With Solid Waste Management Plan**

☐ **The Facility Or Disposal Area Is Not Consistent With Solid Waste Management Plan**

Name (Print or Type)

Signature

Title

Date

County or City

Street Address

City, Zip Code

Zoning or Land Use Consistency

- (2) If the location is zoned, certification by the local planning and zoning authority that the processing facility or disposal area is consistent with local land use restrictions or, if the location is not zoned, certification from the board of county commissioners that the processing facility or disposal area is compatible with surrounding land use.

Zoned

☐ **The Facility Or Disposal Area Is Consistent With Local Land Use Restrictions Or Zoning**

☐ **The Facility Or Disposal Area Is Not Consistent With Local Land Use Restrictions Or Zoning**

Not Zoned

☐ **The Facility Or Disposal Area Is Compatible With Surrounding Land Use**

☐ **The Facility Or Disposal Area Is Not Compatible With Surrounding Land Use**

Name (Print or Type)

Signature

Title

Date

Agency or County

Street Address

City, Zip Code

If a special use permit is required, please attach a copy to this application.